

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF )</b>	
<b>PACIFICORP FOR APPROVAL OF A POWER )</b>	<b>CASE NO. PAC-E-05-9</b>
<b>PURCHASE AGREEMENT FOR THE SALE )</b>	
<b>AND PURCHASE OF ELECTRIC ENERGY )</b>	<b>NOTICE OF</b>
<b>BETWEEN PACIFICORP AND )</b>	<b>DOCKET CONTINUATION</b>
<b>SCHWENDIMAN WIND LLC )</b>	
<hr/>	<b>ORDER NO. 29921</b>

On August 15, 2005, PacifiCorp dba Utah Power & Light Company (PacifiCorp; Company) filed an Application for approval of a Power Purchase Agreement ("Agreement") for the sale and purchase of electric energy between PacifiCorp and Schwendiman Wind LLC ("Schwendiman").

On October 4, 2005, the Commission issued final Order No. 29880 in Case No. PAC-E-05-9 rejecting the submitted Agreement because it did not include a "90/110 percent performance band," a provision that defines a minimum degree of predictability required for published rate eligibility. Reference Order No. 29632. The parties were provided 14 days to submit an amended Agreement containing a 90/110 percent performance band. If an amended Agreement was not submitted, the Application was to be regarded as dismissed without prejudice.

On October 25, 2005, Schwendiman filed a Petition for Reconsideration. Alternatively, Schwendiman petitioned to remove the final Order paragraph, thereby allowing the Order to remain interlocutory for a period of time.

On November 22, 2005, Schwendiman filed a Notice of Withdrawal of Pleading, withdrawing its Petition for Reconsideration. Schwendiman reaffirms its request that the case docket be left open.

YOU ARE HEREBY NOTIFIED that the Commission finds the developed record to date in this case is closed and Order No. 29880 remains final. The time for reconsideration of Order No. 29880 has passed.

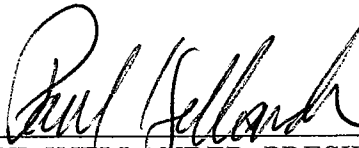
YOU ARE FURTHER NOTIFIED that the Commission, after considering the nature of the alternative relief requested by Schwendiman, finds it reasonable to leave the case docket in

PAC-E-05-9 open until January 16, 2006 for further filings and case development by the parties. Should there be no filing within said period of time, the docket will be considered closed.

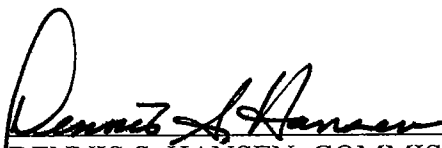
### ORDER

In consideration of the foregoing and as more particularly described and qualified above, IT IS HEREBY ORDERED that the alternative relief requested by Schwendiman in its October 25, 2005 Petition is granted in so far as the docket in Case No. PAC-E-05-9 will remain open for further filings and case development. Should there be no additional filings on or prior to January 16, 2006, the PAC-E-05-9 case docket will be considered closed.

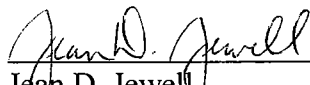
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 22<sup>nd</sup> day of November 2005.

  
PAUL KJELLANDER, PRESIDENT

  
MARSHA H. SMITH, COMMISSIONER

  
DENNIS S. HANSEN, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

O:PAC-E-05-09\_sw